

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PUBLIC FINANCING AUTHORITY

MAY 7, 2008

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.***

CLOSED SESSION CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 6:30 p.m.

ROLL CALL

Councilmembers present:	Winter, McLean, Bragg
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	McCoy

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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CLOSED SESSION

MOTION BY MCCOY, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 705-7 Palm Ave., Imperial Beach, CA 91932, APN 626-250-02

Agency Negotiator: City Manager

Negotiating Parties: Parmela Sawhney S Revoc Trust 10-09-02

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Name of Case: Nadine G. Braudaway vs. City of Imperial Beach

Case No. 37-2007-00076449-CU-EI-SC

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

Title: City Attorney

MOTION CARRIED UNANIMOUSLY.

MAYOR JANNEY adjourned the meeting to Closed Session at 5:30 p.m. and he reconvened the meeting to Open Session at 6:11 p.m. Reporting out of Closed Session, MAYOR JANNEY announced Council met earlier in Closed Session, received information from staff, and had no reportable action.

REGULAR MEETING CALL TO ORDER BY MAYOR

MAYOR JANNEY called the Regular Meeting to order at 6:12 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Winter, McLean, Bragg
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	McCoy

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL ANNOUNCEMENTS/REIMBURSEMENTS

COUNCILMEMBER MCLEAN reported on the informational meeting held at Mendoza Elementary School regarding the condition of the 12 schools in the South Bay Elementary School District; the financial challenges faced by MTS; the SCEDC breakfast where there was a presentation on the economic situation of Tijuana and the City of San Diego economy; and an informational workshop regarding the future plans for the 17-acre site where the Salt Works is located.

COUNCILMEMBER MCCOY spoke about the successful Earth Day event, thanked City staff for their efforts, and recognized the children of the IB community for participation in the event.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

JACINTO PEREZ, of the I.B. Health Center, spoke about the upcoming Relay for Life event scheduled for June 21-June 22 and he asked for the City's support in promoting the event.

ADRIAN KWIATKOWSKI, representing various businesses, submitted a letter from the San Diego Port Tenants Association and spoke in opposition to an initiative that will be on the November ballot that requires the redevelopment of the Tenth Avenue Marine Terminal in San Diego; he asked for Council's support of a resolution opposing the initiative.

PRESENTATION/REPORT (1.1 - 1.2)

1.1 PRESENTATION ON THE SAN DIEGO COASTAL OCEAN OBSERVING SYSTEM BY DR. ERIC TERRILL. (0830-90)

CITY MANAGER BROWN introduced the item.

DR. ERIC TERRILL, of the Scripps Institution of Oceanography, gave a presentation on the San Diego Coastal Ocean Observing System; he reported that sampling will stop at the end of July; funding to keep the infrastructure running is in question; and he noted that the IBWC has expressed that certain aspects of the system are relevant to their permit.

MAYOR PRO TEM MCCOY thanked Councilmember Winter for her efforts in obtaining the initial funding for the project.

COUNCILMEMBER WINTER spoke about the benefits of the program and the reduction of beach closure days.

1.2 PRESENTATION BY BRIAN BRUCE, OPERATIONS MANAGER FOR CALIFORNIA AMERICAN WATER. (0840-70)

CITY MANAGER BROWN introduced the item.

BRIAN BRUCE, Operations Manager for California American Water, gave a presentation on the background of the company and spoke about water conservation programs.

City Council stressed the importance of community outreach in order to inform the community about the conservation programs.

MR. BRUCE responded that he would send City staff information for the City newsletter regarding the conservation programs, as well as information regarding drought-resistant plants.

CONSENT CALENDAR (2.1 - 2.3)

MOTION BY MCCOY, SECOND BY MCLEAN, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 - 2.3. MOTION CARRIED UNANIMOUSLY.

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 66259 through 66329 with the subtotal amount of \$135,958.28; and Payroll Checks 39540 through 39581 for the pay period ending 04/10/08 with the subtotal amount of \$137,935.83; for a total amount of \$273,894.11.

2.2 RESOLUTION NO. 2008-6625 – AUTHORIZING THE CITY MANAGER TO ENTER INTO A FOURTH AMENDMENT TO AN AGREEMENT FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS BETWEEN SAN DIEGO METROPOLITAN TRANSIT SYSTEM AND THE CITY OF IMPERIAL BEACH. (0680-85)

Adopted resolution.

2.3 RESOLUTION NO. 2008-6626 – AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF CORONADO AND THE NAVAL BASE CORONADO FOR THE PURPOSE OF ESTABLISHING A COOPERATIVE AGREEMENT REGARDING JURISDICTION AND LAW ENFORCEMENT AND ANIMAL CONTROL RESPONSIBILITIES FOR THE RECREATIONAL AREA KNOWN AS CAMP SURF AND THE PORTION OF BEACHFRONT THAT RUNS PARALLEL TO CAMP SURF. (0150-10, 0620-80)

Adopted resolution.

ITEMS PULLED FROM THE CONSENT CALENDAR

None.

ORDINANCES – INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4.1)

4.1 FEE REDUCTIONS RELATED TO MASSAGE ESTABLISHMENTS AND TECHNICIANS. (0390-40)

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of Ordinance No. 2008-1068.

CITY CLERK HALD read the title of Ordinance No. 2008-1068, an Ordinance of the City Council of the City of Imperial Beach, California, amending Section 4.04.490 of Chapter 4.04 Business Licenses Generally of Title 4 Business Taxes, Licenses and Regulations, regarding business license fees of Massage Establishments.

MOTION BY MCLEAN, SECOND BY WINTER, TO DISPENSE SECOND READING OF ORDINANCE NO. 2008-1068 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.

MOTION BY MCLEAN, SECOND BY WINTER, TO ADOPT ORDINANCE NO. 2008-1068. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (5.1)

5.1 RESOLUTION NO. 2008-6627 – AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE. (0390-55)

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR JANNEY closed the public hearing.

MOTION BY BRAGG, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2008-6627 – AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE. MOTION CARRIED UNANIMOUSLY.

REPORTS (6.1 - 6.3)

6.1 RESOLUTION NO. 2008-6628 – APPROVING A CHANGE ORDER TO THE PUBLIC WORKS CONTRACT – RENOVATIONS TO TEEPLE PARK (P06-101), REAMA PARK (P05-601) & SPORTS PARK RECREATION CENTER (P08-701). (0920-30, -40, -50)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MOTION BY MCCOY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2008-6628 – APPROVING A CHANGE ORDER TO THE PUBLIC WORKS CONTRACT – RENOVATIONS TO TEEPLE PARK (P06-101), REAMA PARK (P05-601) AND SPORTS PARK RECREATION CENTER (P08-701). MOTION CARRIED UNANIMOUSLY.

6.2 RESOLUTION NO. R-08-147 – AMENDING THE CAPITAL IMPROVEMENT BUDGET FY 04/09 AND AUTHORIZE THE ACQUISITION OF PROPERTY LOCATED AT 776 10TH STREET, IMPERIAL BEACH. (0480-10)

CITY MANAGER BROWN introduced the item.

MOTION BY MCCOY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. R-08-147 – AMENDING THE CAPITAL IMPROVEMENT BUDGET FY 04/09 AND AUTHORIZE THE ACQUISITION OF PROPERTY LOCATED AT 776 10TH STREET, IMPERIAL BEACH. MOTION CARRIED UNANIMOUSLY.

6.3 RESOLUTION NO. 2008-6629 – APPROVING INCREASING THE MAYOR AND COUNCIL’S HEALTH BENEFIT TO THE SAME LEVEL AS MANAGEMENT EMPLOYEES WITH A CASH IN-LIEU OPTION EQUIVALENT TO THE LEAST EXPENSIVE HEALTH PLAN FOR A SINGLE PERSON AS OFFERED BY THE CITY. (0520-50)

CITY MANAGER BROWN introduced the item.

ASSISTANT CITY MANAGER RITTER gave a report on the item.

CITY ATTORNEY LOUGH noted that the CA Government Code allows for councilmembers to receive the same benefits as employees, there is no conflict in regard to council voting on the item, and there is no conflict under FPPC rules.

City Council discussion ensued regarding support for the item.

MOTION BY JANNEY, SECOND BY MCLEAN, TO ADOPT RESOLUTION NO. 2008-6629 – APPROVING INCREASING THE MAYOR AND COUNCIL’S HEALTH BENEFIT TO THE SAME LEVEL AS MANAGEMENT EMPLOYEES WITH A CASH IN-LIEU OPTION EQUIVALENT TO THE LEAST EXPENSIVE HEALTH PLAN FOR A SINGLE PERSON AS OFFERED BY THE CITY. MOTION CARRIED UNANIMOUSLY.

REPORTS OF MAYOR AND COUNCILMEMBERS

In accordance with AB 1234, COUNCILMEMBER WINTER reported that she and MAYOR PRO TEM MCCOY attended the League of California Cities dinner last month; and she spoke about attending the Metro Wastewater JPA retreat.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 7:42 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk